

Public Notice

U.S. Army Corps of Engineers, Norfolk District

March 8, 2007

CENAO-REG
NAO-2007-721 / 07-V0321

FEDERAL PUBLIC NOTICE

The District Commander has received a joint application for Federal and State permits as described below:

APPLICANT

Frank Pavlica
116 Swinley Forest
Williamsburg, Virginia 23188

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located at 4 Fenn Court within the Ford's Colony residential subdivision, in an unnamed tributary to Powhatan Creek, a tributary to the James River, in James City County, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to permanently impact 0.10 acre of forested nontidal wetlands in order to construct a single family home and to temporarily impact 0.02 acre forested wetlands in the placement of a sanitary sewer line. Historically, the Corps has permitted greater than 5.75 acres of impact to wetlands and streams in association with the Ford's Colony master planned development.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies

and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Commander within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Commander will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings. For compliance with the Coastal Zone Management Act of 1972, as amended, the applicant must certify that federally licensed or permitted activities affecting Virginia's coastal zone (Tidewater) will be conducted in a manner consistent with the Virginia Coastal Resources Management Program (VCP). For more information or to obtain a list of the enforceable programs of the VCP, contact the Department of Environmental Quality, Office of Environmental Impact Review at (804) 698-4330 or e-mail: elirons@deq.virginia.gov.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers (ATTN: Lesley Leonard, CENAO-REG), 803 Front Street, Norfolk, Virginia 23510-1096, and should be received by the close of business on April 6, 2007.

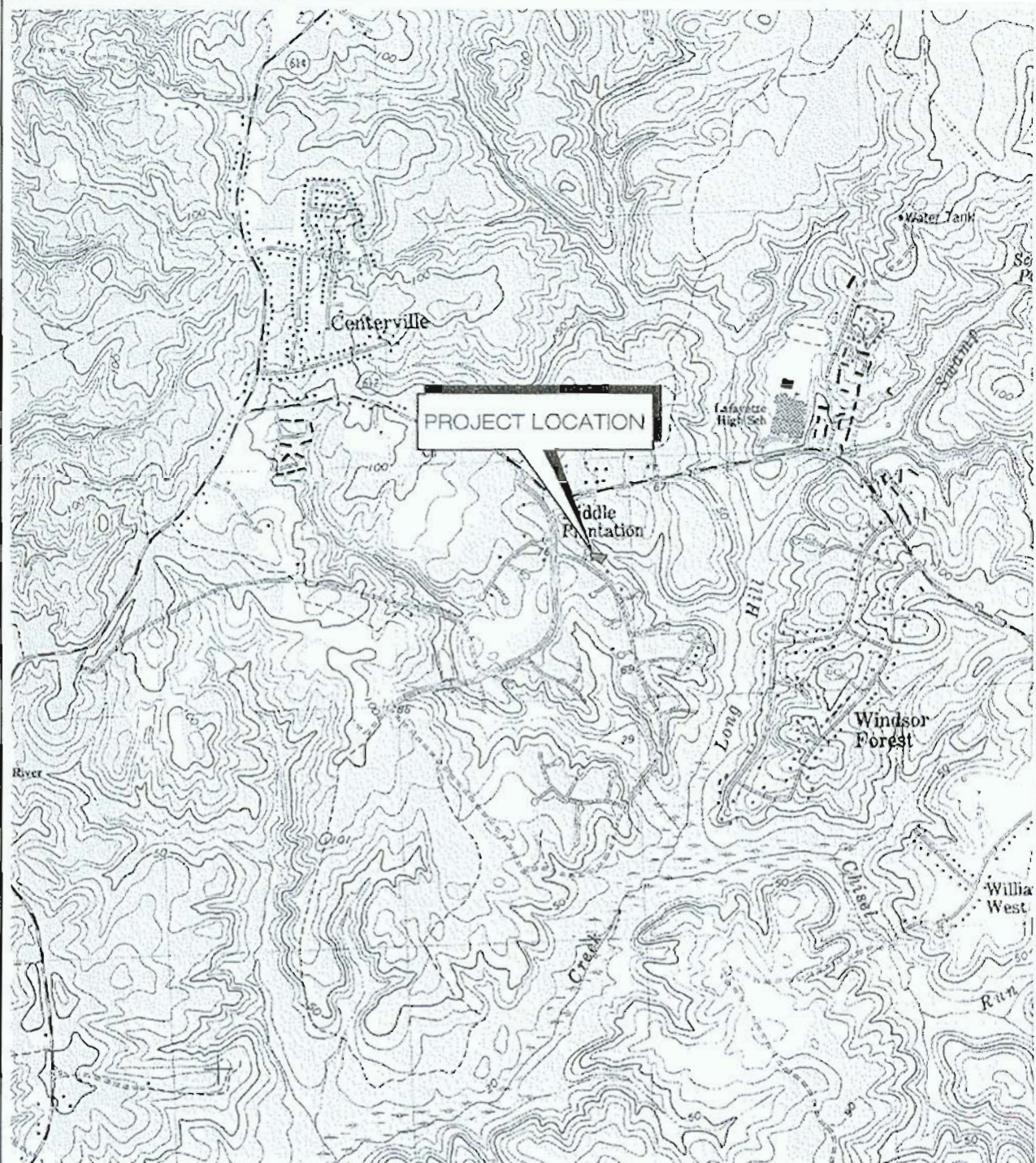
If you have any questions about this project or the permit process, please call:

Lesley Leonard at (757) 201-7540

FOR THE DISTRICT COMMANDER:

Michael A. Schwinn
Chief, Western Virginia
Regulatory Section

Attachment: Drawings



2000' 1000' 0'
SCALE: 1 INCH = 2000 FEET

LATITUDE: 37°18'17" N
LONGITUDE: 76°46'24" W

SOURCE: USGS 7.5 MINUTE SERIES TOPOGRAPHIC MAP
NORGE, VA QUADRANGLE, 1984

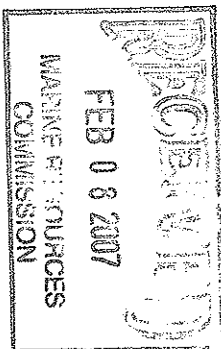


WILLIAMSBURG
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GROUP, INC.

FIGURE 1-2
PROJECT LOCATION MAP
PAVLICA RESIDENCE

JAMES CITY COUNTY, VIRGINIA

JANUARY 2007



LEGEND:

- APPROXIMATE WETLAND LIMITS
- EXISTING TREES
- APPROXIMATE RESOURCE PROTECTION AREA (RPA)

SITE DATA:

PROJECT AREA: 0.43 ACRES ±

JURISDICTIONAL AREAS:

WETLANDS: 0.28 ACRES ±

NOTE: THE LIMITS OF WETLANDS AND STREAM CHANNELS HAVE BEEN FIELD LOCATED BY MEANS OF SUB-METER GPS TECHNOLOGY AND ARE FOR PLANNING PURPOSES ONLY.



DATE: JANUARY 31, 2007
JOB NUMBER: 3287
SCALE: 1 INCH = 30 FEET
SOURCE: BASE MAP PROVIDED BY
AES CONSULTING ENGINEERS, INC.

RESOURCE PROTECTION AREA MAP
PAVLICA RESIDENCE
JAMES CITY COUNTY, VIRGINIA

WILLIAMSBURG ENVIRONMENTAL GROUP, INC.

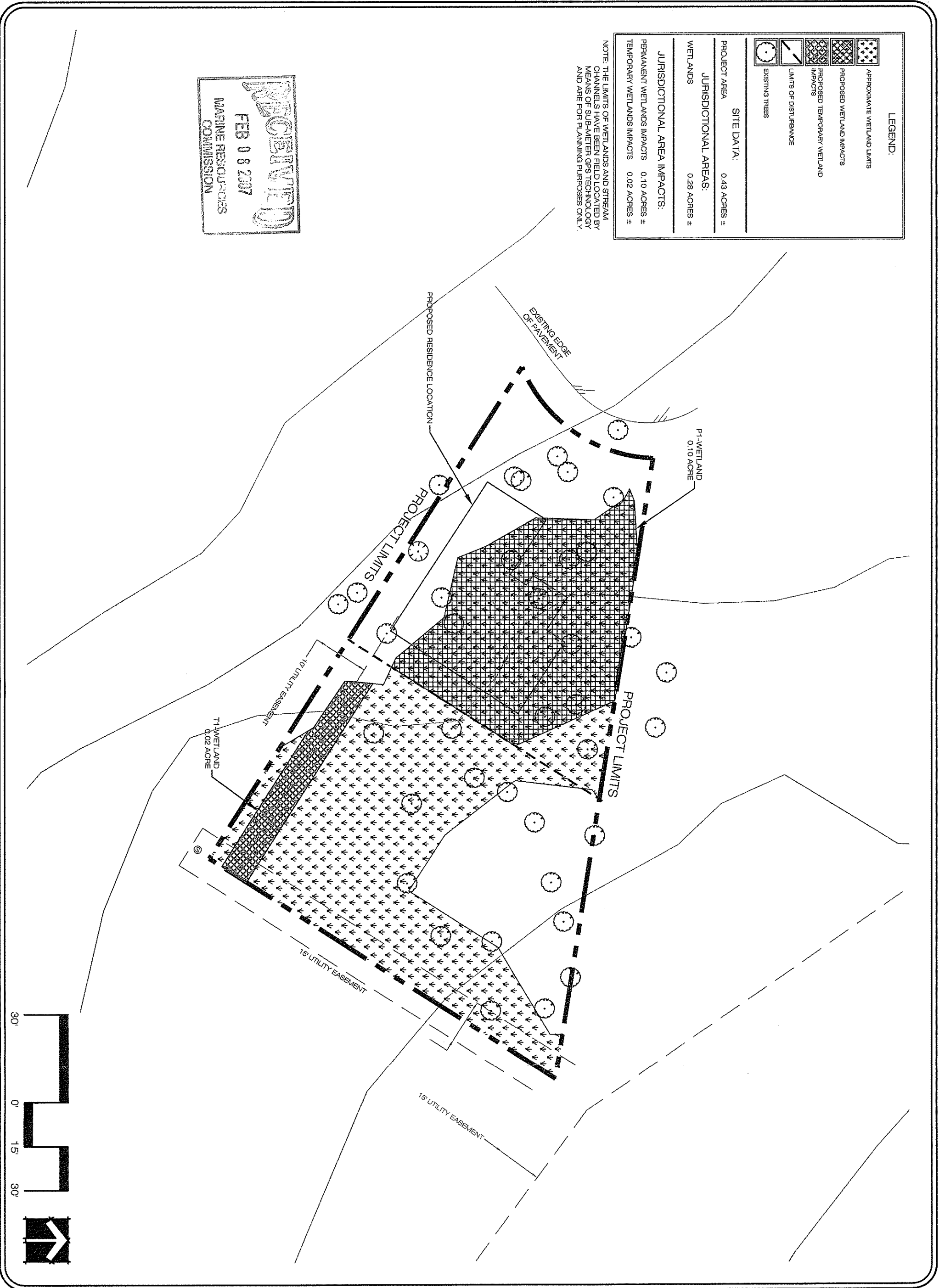
5209 Center Street
Williamsburg, Virginia 23185
(757) 220-6869

7501 Boulders View Drive
Suite 205
Richmond, Virginia 23225
(804) 267-3474

13921 Park Center Road
Suite 160
Hampton, Virginia 20171
(703) 437-3096

5705 Salem Run Blvd.
Suite 105
Fredericksburg, Virginia 22407
(540) 785-5544

Environmental Consultants



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JURISDICTIONAL AREAS IMPACTS MAP
PAVLICA RESIDENCE
JAMES CITY COUNTY, VIRGINIA

WEG
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